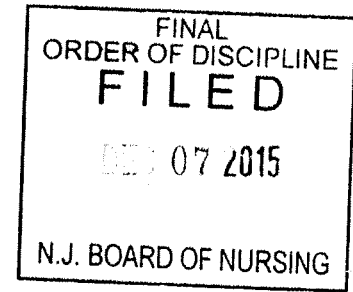


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STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF NURSING

IN THE MATTER OF THE LICENSE OF	:	Administrative Action
	:	
	:	
	:	
LAKIRAH M. MURRAY, LPN	:	FINAL ORDER
License # 26NP06597700	:	OF DISCIPLINE
	:	
	:	
TO PRACTICE NURSING IN THE	:	
STATE OF NEW JERSEY	:	

This matter was opened to the New Jersey State Board of Nursing (the "Board") upon receipt of information which the Board has reviewed and upon which the following findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. Lakirah M. Murray ("Respondent") is a Licensed Practical Nurse in the State of New Jersey and has been a licensee at all times relevant hereto.

2. On or about May 30, 2013, Respondent completed and submitted an online biennial renewal application which asked whether Respondent would have "completed the required continuing education credits by May 31, 2013," referring to the biennial renewal period of June 1, 2011 to May 31, 2013. Respondent answered "Yes" to the question and certified the answer by submitting the online application.

3. Upon receipt of information indicating that Respondent was arrested on or about July 1, 2014 by members of the Elizabeth Police Department for violation of N.J.S.A. 2C:29-9A (Contempt Of Judicial Order), the Board sent a letter of inquiry requesting certain information and documents regarding the criminal matter, Respondent's nursing practice, and continuing education to Respondent's address of record in Elizabethport, New Jersey, via regular and certified mail on or about August 14, 2014. The certified mailing was delivered and the receipt was signed by Respondent. The regular mailing was not returned.

4. On or about May 31, 2015, Respondent completed and submitted an online biennial renewal application which asked whether Respondent would have "completed the required continuing education credits by May 31, 2015," referring to the biennial renewal period of June 1, 2013 to May 31, 2015. Respondent

answered "Yes" and certified that answer by submitting the online application.

5. To date, Respondent has not replied to the Board's request for information.

CONCLUSIONS OF LAW

Respondent's failure to respond to the Board's request for information constitutes a failure to cooperate with a Board investigation, in contravention of N.J.A.C. 13:45C-1.2 and 1.3, which the Board deems professional misconduct pursuant to N.J.S.A. 45:1-21(e) and also subjects Respondent to disciplinary action pursuant to N.J.S.A. 45:1-21(h).

Pursuant to N.J.A.C. 13:37-5.3(b), nurses are required to complete a minimum of thirty (30) hours of continuing education during the preceding biennial period in order to renew their licenses. Pursuant to N.J.A.C. 13:37-5.3(f), nurses are required to maintain documentation of completion of continuing education for a period of four years after completion, and shall submit such documentation to the Board upon request.

By virtue of having failed to respond to the letter of inquiry, Respondent is deemed to have failed to demonstrate, to the satisfaction of the Board, that Respondent completed the continuing education credits required for renewal during the biennial period of June 1, 2011 to May 31, 2013. The Board

therefore finds Respondent in violation of N.J.A.C. 13:37-5.3(b) and 13:37-5.3(f), which in turn subjects Respondent to sanctions pursuant to N.J.S.A. 45:1-21(e) and (h).

Respondent's use of dishonesty and misrepresentation during the license renewal process in falsifying her continuing education information constitutes a violation of N.J.S.A. 45:1-21(b), subjecting Respondent to sanctions.

DISCUSSION ON FINALIZATION

Based on the foregoing findings and conclusions, a Provisional Order of Discipline seeking a suspension, reprimand, and a seven hundred and fifty dollar (\$750) civil penalty was entered on August 27, 2015. Copies were served upon Respondent via regular and certified mail. The Provisional Order was subject to finalization by the Board at 5:00 p.m. on the thirtieth day following entry unless Respondent requested a modification or dismissal of the stated findings of fact and conclusions of law by setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed and submitting any and all documents or other written evidence supporting respondent's request for consideration and reasons therefor.

Respondent replied to the Provisional Order of Discipline by providing most of the Board requested information regarding

her June 2014 arrest. She advised that this matter involved a domestic dispute with her husband and his family while they were in the process of divorcing. The criminal matter was later dismissed.

As to her continuing education, respondent contended in her response that she was unable to locate her supporting documentation. However, she was able to provide proof of completion of the following:

- 0 hours within the June 1, 2011-May 31, 2013 period;
- .5 hours within the June 1, 2013-May 31, 2015 period; and
- 9 hours within the June 1, 2015-May 31, 2017 period.

Therefore, the respondent has failed to demonstrate completion of the required continuing education hours for each of the three (3) renewal periods.

Finally, respondent failed, in her POD reply, to provide any information relative to her current nursing employment or to offer an explanation as to why she did not respond to the Board's initial letter of inquiry in August 2014.

The Board reviewed Respondent's submissions and determined that further proceedings were not necessary and that no material discrepancies had been raised. Based on the foregoing, the Board voted to finalize the POD with no modifications. Inasmuch as Respondent failed to provide any certificates indicating that

she had completed any of the required continuing education within the June 1, 2011 - May 31, 2013 biennial period, the Board found that she was in violation of N.J.A.C. 13:37-5.3(b) and determined that suspension of her license was warranted until such time as the respondent provides proof of completion of 50.0 hours of continuing education to cure the deficiencies of the previous two (2) biennial periods.

Additionally, the Board determined that Respondent's failure to cooperate with a Board's investigation, by failing to provide a complete response to the Board's letter of inquiry when it was first mailed; which necessitated the filing of the POD with its concomitant expenditures of time, effort and resources; as well her failure to timely complete the requisite continuing education, warrants imposition of an aggregate seven hundred dollar and fifty dollar (\$750) civil penalty, respectively. The Board further concluded that a reprimand is warranted for Respondent's corresponding answer on her renewal application whereby she misrepresented that she had completed all of the required continuing education when in fact she had not done so.

ACCORDINGLY, IT IS on this 7th day of December, 2015,
ORDERED that upon the filing of a FINAL ORDER OF DISCIPLINE in
this matter:

1. Respondent's license to practice nursing is suspended until such time as Respondent provides proof of completion of thirty (30) hours of continuing education for each biennial renewal period from June 1, 2011 to the time of reinstatement (namely, 30 hours for June 1, 2011 - May 31, 2013, 30 hours for June 1, 2013 - May 31, 2015, plus any hours completed for the current biennial period of June 1, 2015 - May 31, 2017).

Continuing education hours taken currently and applied to cure the deficiency from the previous biennial period shall not also be used to satisfy the requirements of the current biennial period.

2. A reprimand is hereby imposed on Respondent for falsifying the continuing education information on her license renewal application.

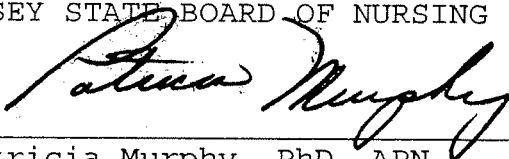
3. A civil penalty in the amount of seven hundred and fifty dollars (\$750) is hereby imposed for respondent's failure to timely complete required nursing continuing education. This penalty is an aggregate penalty, which includes a penalty in the amount of five hundred dollars (\$500) for failure to cooperate with a Board investigation and a penalty in the amount of two hundred and fifty dollars (\$250) for failing to timely complete required continuing education. Payment shall be made by certified check, bank cashier check, or money order payable to

"State of New Jersey," or by wire transfer, direct deposit, or credit card payment delivered or mailed to State Board of Nursing, Attention: Leslie Burgos, Post Office Box 45010, Newark, New Jersey 07101. Any other form of payment shall be rejected and shall be returned to the party making the payment. Payment shall be made no later than fifteen (15) days after the date of filing of a **Final Order of Discipline**. In the event Respondent fails to make a timely payment, a certificate of debt shall be filed in accordance with N.J.S.A. 45:1-24 and the Board may bring such other proceedings as authorized by law.

4. Respondent shall refrain from practicing as a nurse and shall not represent herself as a Licensed Practical Nurse until such time as her license is reinstated. Any practice in this State prior to reinstatement shall constitute grounds for a charge of unlicensed practice.

NEW JERSEY STATE BOARD OF NURSING

By: _____


Patricia Murphy, PhD, APN
President